

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

MATTHEW SCHWARTZ

No. 21 CR 316

Judge Andrea R. Wood

**GOVERNMENT'S SECOND MOTION FOR AN EXTENSION OF TIME
TO PROVIDE RESTITUTION INFORMATION**

The UNITED STATES OF AMERICA, by and through its attorney JOHN R. LAUSCH, JR., United States Attorney for the Northern District of Illinois, moves this Court to extend the time to provide victim restitution information to the Court and the Probation Department in this case pursuant to 18 U.S.C. § 3664 and, in support thereof, states as follows:

1. The superseding information in this case charges Matthew Schwartz (“defendant”) with one count of possession of child pornography in violation of Title 18, United States Code, Section 2252A(a)(5)(B).
2. On or about August 23, 2022, defendant entered into a plea agreement. R. 78. In the plea agreement, defendant plead guilty to the charge in the superseding information and also stipulated to having committed a cyberstalking offense in violation of Title 18, United States Code, Section 2261A(2)(B). *Id.*
3. On October 3, 2022, the court granted the government’s first motion for an extension of time to provide victim restitution information and set a new

deadline for November 17, 2022. R. 83. The court further granted the government leave to file an additional extension of time if necessary. *Id.*

4. The government has provided defense counsel with calculations as to restitution owed for each victim in this matter, and defense counsel plans to approach defendant with the government's proposed calculations in hopes that the parties can reach an agreement regarding the amount owed. Therefore, the government respectfully requests an extension of time to provide restitution information to the Court and to the Probation Department so that the parties can continue to work towards an agreement. Pursuant to 18 U.S.C. § 3664(d)(5), the government requests that time be extended to and including November 28, 2022, or under further order of the Court.

5. Pursuant to 18 U.S.C. § 3664(d)(5), the government also requests leave to file an additional extension of time, not to exceed 90 days for the date of sentencing, if the victim's losses are not ascertainable by November 28, 2022.

6. Undersigned counsel has conferred with the assigned probation officer in this case pursuant to 18 U.S.C. § 3664(d)(1). Probation is unopposed to the extension of time.

7. Undersigned counsel has also conferred with defense counsel, and the defense is unopposed to the proposed extension of time.

WHEREFORE, the government respectfully requests that this Court extend the time to provide restitution information, to and including November 28, 2022,

with leave to file a motion for an additional extension of time, if necessary, pursuant to 18 U.S.C. 3664(d)(5).

Respectfully submitted,

JOHN R. LAUSCH, JR.
United States Attorney

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DATE: November 17, 2022